

**ENDWELL FIRE DISTRICT
BOARD OF FIRE COMMISSIONERS
MONTHLY MEETING
November 29, 2023**

Members:

Carlton “Andy” Anderson, Chairman
Michael Hamzik
Mark Storm
Michael Lewis

Others Present:

Erika Pereira, Administrative Assistant
Alison Senft, District Treasurer
Michael Battaglini, Fire Chief
Michele Pandich
Matthew Grafton
Robert Congdon

In the work session, William L. VanGorder, our Account Executive with NBT Insurance Agency, reviewed our insurance proposal for the 2024 budget year.

Motion by Commissioner Hamzik, second by Commissioner Lewis, to approve the October 18, 2023 meeting and 2024 Budget Hearing. All aye; motion carried.

TREASURER’S REPORT: Motion by Commissioner Hamzik, second by Commissioner Storm, to approve the treasurer’s report and the capital reserve summary. All aye; motion carried.

Unfinished Business:

1. Station 3: Keegan Coughlin with COUGHLIN & GERHART will create a letter to LaBella Associates and create the Request for Proposal for an engineering and designing firm.
2. Bunk-In Program: Erika updated the RFP and sent it to the Board of Fire Commissioner. Commissioner Lewis would like to see the published RFP in January 2024, a pre-bid meeting for February 2024, and a Proposal due March 2024. Erika will update the RFP with the dates and send it to the lawyer for final review.
3. New Apparatus – 2024 Chevrolet Silverado: Waiting for the cab and chassis. Chief Michael Battaglini ordered the service body. Chief Michael Battaglini has been in contact with Bush Electronics to work on a lighting package for the new Utility 31-1.
4. New Apparatus – Engine: There is a two-year turnaround time for the truck to be built and delivered.
5. Updates to Board Room: Motion by Commissioner Storm, second by Commissioner Lewis, to accept the estimate from Rug Fair Commercial & Industrial, a division of Endwell Rug Company, in the amount of \$9,467.70. Pricing is based on the NYS contract—all aye; motion carried.

The Johnsonite Traditional Wall Base 48 Grey WG and the flooring is Mannington Commercial Collection: Spacia Style: Wood Color: Nordic Oak (SS5W2550) was chosen.

We need to purchase 10 of the Duty-Built High-Back Swivel Office Chairs with loop arms in the amount of \$3,325.00.

Jeff’s Painting will complete the painting of the board room for the price of \$1,650.00.

Hammer's Woodworking is working on the custom boardroom table with the District and Fire Department logos for the price of \$5,675.00.

6. Gear Lockers: The gear lockers were ordered and will be installed on December 7. T&B Electric will move the outlets behind the current lockers at the end of this week or early next week. Commissioner Storm will send out a message to the members for a work detail to clean out the current lockers and remove them from the wall on December 4 and December 5.
7. Fire District Rules & Regulations: The draft of the Rules and Regulations was reviewed page by page. There are some revisions that need to be made to the document. The Board of Fire Commissioner had a question regarding the Hazardous Materials Operations course and CPR certification for firefighters. They wondered if the course is New York State law, NFPA, OSHA, or PESHSA requirement and if it is a requirement for all active firefighters to have a CPR certificate. Erika will follow up with the attorney, Kevin S. Mahoney, on this matter. Corrections will be made and resent to Kevin for review once again.
8. New Tower Dedication Plaque: Plaque was ordered from Endicott Artistic Memorial Company. Waiting for the plaque to be delivered.
9. PA System: The deposit was paid to AV Sound in Owego. They are booked until the end of the year, so they have put us on the schedule for early January. They will reach out when they are ready to complete the work.
10. Truck or Treat: The event was held on Tuesday, October 31, from 5:00 pm to 8:00 pm. Matt Grafton submitted his report for the event.

Truck or Treat 2023

The Annual Truck or Treat was held on Halloween night.

We started marketing at the beginning of October with a Facebook event and various social media posts throughout the month.

The Board of Commissioners provided a budget of \$1800. The money was primarily used to buy candy along with snacks and a promotional item that was handed out with other items in a fire prevention.

The Company provided a budget of \$500 along with hot cocoa and water. This money was primarily used for prizes along with some snacks and cider.

We received about 55 bags of candy thanks to our membership and purchased 43 bags with the board budget. This turned out to be enough for the event and no candy was leftover.

Families arrived before 6pm and we opened the doors a bit early since we were ready. The attendance was large and steady all night long. We ran out of all the drinks except for the water. There is one bucket of prizes left for next year. Only three games were set up to limit the number of members needed to run them.

The monies received on Halloween night were \$17.00 in donations, \$80.00 from the 50/50 and \$25.00 from the sale of 3 Pancake Breakfast tickets. We also received \$22.00 from the sale of cider and some decorations.

Thank you again to everyone who helped with this event during the setup, the day of and for cleanup! Every year after the event, the committee discusses possible changes to the event.

If anyone has suggestions, please let us know.

Respectfully submitted.

Matt & Cheryl Grafton

Truck or Treat Committee

11. **Water Rescue Equipment:** Captain Jason Stupski would like to hold off on purchasing water rescue equipment at this time since there is storage in the needed equipment. He will continue to monitor inventory, and when he can purchase everything, he will submit the itemized list for approval to purchase.
12. **Inspection Dinner Gift Ideas:** Motion by Commissioner Storm, second by Commissioner Hamzik, to purchase challenge coins for the members as a table gift in the amount of \$1,080.00 for 200 coins. All aye; motion carried. The budget for table gifts was \$1,500.00.
13. **Partial Real Property Tax Exemption for Volunteer Firefighters:** Commissioner Storm researched the possible amount of the partial real property tax exemption for each of the qualified members of the department. We currently have 27 eligible members who own homes within the boundaries of the Endwell Fire District. If a member is out of the Endwell Fire District, the tax exemption does not apply to them. The exemption is to be granted at ten (10 %) percent of the assessed value of the real property owned by an enrolled volunteer firefighter who meets the eligibility requirements. Another qualification is that the said members' names must be on the deed and tax bill.

We have 22 residing in the Maine Endwell School District, 4 in the Union Endicott School District, and 1 in the Johnson City School District.

Once we receive approval from the Town of Union to grant the Volunteer Firefighter Real Property Tax Exemption, the Fire District will go to each school district to see if they would be willing to grant the Volunteer Firefighter Real Property Tax Exemption as well. Providing this tax exemption to volunteer firefighters will enhance the recruitment and retention of volunteer firefighters in the fire department.

A public hearing on the Volunteer Firefighter Real Property Tax Exemption pursuant to real property tax law §466-A will be held on December 20, 2023, at 6:00 pm.

14. **Photographer:** Commissioner Hamzik will work on putting together a policy on the photographer. The Board would like to have two photographers for the department possibly. There is currently one member interested in being the photographer.
15. **Wireless access point:** The membership once again mentioned that the Wi-Fi at Station 1 works poorly when many people are connected to it simultaneously. Commissioner Hamzik, John Hussar, and Commissioner Storm met with Kyle Dixon, Vice President/Service Manager, with Pyramid to walk through the building again. Kyle Dixon recommends purchasing (1) MR28 and (1) MR36H first and then seeing how the wi-fi works. Kyle submitted a quote for his recommendation. Motion by Commissioner Storm, second by Commissioner Hamzik, to proceed with quote in the amount of \$2,522.00. All aye; motion carried.

New Business:

1. **Approve bills and supplement for payment:** Motion by Commissioner Storm, second by

Commissioner Hamzik, to pay the bills and supplement for payment:

Vouchers # 23_11-001 to 23_11-092, including payroll and Debt Service interest payments totaling \$55,495.51.

Supplemental List: Vouchers # 23_12-001 to 23_12-015 totaling \$10,664.85.

All aye; motion carried.

2. Line Transfers: Motion by Commissioner Storm, second by Commissioner Lewis, to accept the line transfer submitted by Treasurer Alison Senft. All aye; motion carried.
3. Buildings & Grounds: Commissioner Storm contacted T&B Electric to look at options for the light in the fuel pump.

Commissioner Storm also stated that when the Fire Company was holding its annual pancake breakfast, the breakers were tripping in the kitchen, and at the time, the only things plugged in were the coffee urns. Erika will contact T&B Electric to have them come out and look into the electrical issue.

4. Community Room Request: Motion by Commissioner Lewis, second by Commissioner Storm, to approve the request to use the community room. All aye; motion carried.

Date	Times	Requested by	Use	Cost	Comments
11-16-2023 12-21-2023	All Day	Kimberly Hill	Thanksgiving Dinner & Christmas Dinner	\$200 Security Deposit	Member
11-17-2023	5:00 pm – 8:30 pm	Nate Krause	Cheer Banquet	\$200 Security Deposit	Member
11-30-2023	12:00 pm – 3:00 pm	ELOCA	Annual Poinsettia Pickup	\$200 Security Deposit \$75 Room Rental Fee	Community Room Group User
12-08-2023	All Day	Cheryl Grafton	New York State Police Children's Christmas Party	\$200 Security Deposit	Member Date Change The original request was for 12-15-2023
12-23-2023	All Day	Noah Townsend	Nephew Birthday Party	\$200 Security Deposit	Member

5. Chiefs Report: Motion by Commissioner Hamzik, second by Commissioner Storm, to accept the Chief's Report. All aye; motion carried.

Honorable Board Members,

- *I have been communicating quite a bit with Broome County on several issues with dispatches to calls. We had an issue with not being toned out for a vehicle into a building (North St @ Main St). During our fire on Farm to Market Road, our 2nd Alarm wasn't transmitted for 2-3 minutes from the request time. Broome is once again saying it's an issue with inexperienced dispatchers. I'm being told the problems are being addressed internally.*
- *I have also requested copies of our most up-to-date run cards; I am looking to make some changes to them for certain types of alarms.*
- *7 of our firefighters successfully completed NYS BEFO and NYS IFO and are one step closer to becoming*

interior firefighters.

- *Liam Blanchard, Teague Blanchard, Matt Brennan, Carter Czebiniak, Emily Leniek, Kaitlyn Leniek and Gracie Viengkham*
- *Knox Box is installed in Car 31.*
- *Challenge Coins are in.*
- *We are sending a piece of Apparatus to the Johnson City Holiday Parade on 11/30.*
- *Maine Endwell football is playing in the NYS Championship this Sunday. The school district has already contacted me in hopes of a welcome home parade.*
- *Chiefs' permission on 12/9.*

Motion by Commissioner Hamzik, second by Commissioner Storm, to allow the Training Chief to facilitate hosting a Swiftwater Rescue Technician course at the Station. The training budget for the seminar is \$3,500.00. The Fire District will cover the remaining cost if necessary—all aye; motion carried.

6. Support Services Report: Motion by Commissioner Hamzik, second by Commissioner Storm, to accept the Support Services Report. All aye; motion carried.
7. Maintenance Division Report: Motion by Commissioner Hamzik, second by Commissioner Storm, to accept the Maintenance Report. All aye; motion carried.

The following maintenance was completed since the last board meeting:

- *Engine 31-1 New tires mounted*
- *Quint 31 Paint/rust issue in process / DEF system under repair*
- *Utility 31-2 NYS inspection*
- *Utility 31-3 NYS inspection*
- *SCBA 1 bottle for thread repair*

8. Training Division Report: Motion by Commissioner Hamzik, second by Commissioner Storm, to accept the Training Report. All aye; motion carried.

Trainings held in the month of November:

- *November 6th – Vestal – SCBA Confidence*
- *November 13th – Company Meeting and Fire Police*
- *November 20th – Large Area Searches and Small Area*
- *November 27th – Confined Space Awareness and Hoses / Handlines*

Special Operations Trainings:

- *None*

Outside Trainings Offered:

- *McNeil Trainings Online- Multiple Training Available*
- *NYSEG Trainings Online*
- *National Grid Safety Training – 3 Hours*
- *CPR and First Aid Training – December 16th – Open to Everyone*
- *FEMA – Online Training Courses and In-person Classes*
- *Rescue 3 Request for Swift Water Rescue (SRT) Training*

Currently in NYS Training:

- *IFO – 8 Personnel*
- *Vehicle Extraction Course – 2 Personnel*
- *Survival – 9 Personnel*
- *Fire Officer 1 – 1 Personnel*

Upcoming Fire Trainings in December (Subject to Change):

- *December 4th – Vestal Live Burn*
- *December 11th – Open – Depending on 31 getting Cars*
- *December 18th – Brady Film Festival*
- *December 25th – Christmas – No Training*

9. Fire Company Report(s):

- a. Motion by Commissioner Storm, second by Commissioner Hamzik, to accept Ismael Konate and Matthew Raleigh as new members of the fire company pending the successful completion of their physical; motion carried.

10. O.L. Davis Fire Company Newsletter: Commissioner Lewis would like to see the public hearing on the Volunteer Firefighter real property tax exemption, the 2024 Ned Carter Memorial scholarship, that we are collecting toys for the Broome County Toys for Tots and the Save the Date for the 2024 Inspection Dinner in the monthly.

11. Donation(s): We received a donation from James Mason and Carol I Engel-Mason in the amount of \$150.00, Our Saviour Lutheran Church in the amount of \$200.00, and from Bette Ferraro in the amount of \$1,000.00. Motion by Commissioner Storm, second by Commissioner Hamzik, to place the donations in our donation fund. All aye; motion carried.

12. Schedule the 2024 Organizational Meeting: Motion by Commissioner Storm, second by Commissioner Hamzik, to schedule the 2024 organizational meeting on January 10, 2024, at 6:00 pm—all aye; motion carried.

Motion by Commissioner Storm, second by Commissioner Hamzik, to schedule the January monthly for January 17, 2024, at 7:00 pm with the work session at 6:30 pm—all aye; motion carried.

13. Broome County Toys for Tots: Motion by Commissioner Storm, second by Commissioner Hamzik, to be a collection site for the Broome County Toys for Tots (run by area police agencies) again. Collection barrels will be placed in the front hallway and the community room and promoted on the message board and our Facebook page. Donations will be collected at the Fire District until Friday, December 15, so they can be dropped off at the Broome County Toys for Tots headquarters during their hours of operation on Monday, December 18—all aye; motion carried.

14. Year-End Bonus: Motion by Commissioner Storm, second by Commissioner Lewis, to net \$225 for the year-end bonus for all employees. All aye; motion carried.

15. General Insurance: Motion by Commissioner Storm, second by Commissioner Hamzik, to renew our insurance with NBT-Mang for December 1, 2023, to December 1, 2024, for \$53,352.00. All aye; motion carried.

16. NYS Volunteer Firefighter Cancer Benefit Program: Motion by Commissioner Storm, second by Commissioner Hamzik, to purchase the enhanced plan in the amount of \$7,867.43 for 43 firefighters. All aye; motion carried.

17. Training Room Camera Estimate: Motion by Commissioner Storm, second by Commissioner Hamzik, to purchase and install a security camera in the training room in the amount of \$625.00. All aye; motion carried.

18. District policies to be reviewed for approval:

a. Marijuana in Workplace Policy

In 2021, New York State passed the Marihuana Regulation & Taxation Act (MRTA) [note that the spelling used in Chapter 92 of the Laws of 2021 for the title of the act used "marihuana" as the spelling for the substance and also used the term "cannabis"] which legalized the recreational use and possession of marijuana. The law also created a system to manage the substance's licensing, production, and sale. For our purposes, the important facts are that;

- The recreational use and possession of marijuana is now legal for persons over the age of 21.
- The medicine use and possession of marijuana has been legal prior to the act.
- The state of testing for marijuana does not permit testing that will prove current impairment or detect when marijuana was used.
- Marijuana use, possession, and impairment in the workplace remains illegal.
- Marijuana impairment in the workplace imperils the safety of the worker/volunteer, other workers/ volunteers in the workplace, and the people our personnel are sworn to protect

Based upon the foregoing, the following policy shall be in effect for all officers, employees, and volunteer firefighters of the Endwell Fire District.

The Endwell Fire District does not discriminate and will not discriminate against officers, employees, and volunteer firefighters based on that person's use of marijuana outside of the workplace, outside of work hours, and without the use of the Endwell Fire District and/or the Endwell Fire Department's equipment or property.

Testing for marijuana will no longer be a part of entry-level, periodic, and return-to-duty physical examinations in the Endwell Fire District.

Officers, employees, and volunteer firefighters may not use, possess, or be impaired from the use of marijuana while in the workplace.

The workplace of the Endwell Fire District, for purposes of this policy, shall be;

- All fire stations and buildings owned, leased, or maintained by the Endwell Fire District;
- The grounds of such fire stations and buildings;
- All vehicles owned by the Endwell Fire District and/or the Endwell Fire Department;
- All vehicles leased or rented by the Endwell Fire District and/or the Endwell Fire Department, which shall include, but not be limited to, rental cars used for official travel of the Endwell Fire District and/or the Endwell Fire Department by officers, employees, and volunteer firefighters;
- All vehicles assigned to personnel when used for business and personal purposes;
- The location of any activity of the Endwell Fire District and/or the Endwell Fire Department, including but not limited to scenes of emergency responses, training schools and classes, gatherings of the Endwell Fire District and/or the Endwell Fire Department and its constituent companies;
- The location of any event that would be considered a line of duty activity for an officer, employee, and/or volunteer firefighter under the Public Officers Law, the Town Law, the Workers Compensation Law, or the Volunteer Firefighters Benefits Law; and
- The workplace includes places paid employees go to for breaks and meal periods.

The Endwell Fire District will take employment action against an officer, employee, or volunteer firefighter if that person possesses marijuana in the workplace or is impaired by marijuana while working or present in the workplace, meaning the person manifests specific articulable symptoms of impairment that:

- Decrease or lessen the performance of their duties or tasks
- Interfere with an employer's obligation to provide a safe and healthy workplace, free from recognized hazards, as required by state and federal occupational safety and health laws

According to the New York State Department of Labor, there is no dispositive and complete list of symptoms of impairment. Rather, articulable symptoms of impairment are objectively observable indications that the employee's performance of the duties of their position is decreased or lessened.

Articulable symptoms may not be a symptom that manifests itself from a disability protected by federal and state law.

A test result cannot be used as an indicator.

The smell of marijuana alone cannot be treated as an articulable symptom.

The operation of heavy machinery in an unsafe and reckless manner may be considered an articulable symptom of impairment.

The Endwell Fire District cautions personnel that marijuana impairment can endanger the person impaired, their fellow personnel, and the people they are sworn to serve. The Board of Fire Commissioners takes no position with regard to the decision to use marijuana recreationally or medicinally. This is not a policy meant to tell people how to live their lives. It is purely meant to be a safety policy. The Board only takes the position in this policy that marijuana cannot be used or possessed in our workplace, and you cannot come to the workplace impaired by it. Our policy in the workplace is one of zero tolerance. If you use marijuana recreationally or medicinally, do not come to our workplace and do not report to work for us until you are no longer impaired. The personnel you serve with deserve better. Our community deserves better. The services of people who are impaired by marijuana are not a benefit to the people we serve.

The adoption of the foregoing policy in the form of a resolution was duly put to a vote, and upon roll call, the vote was as follows:

Chairman Carlton "Andy" Anderson	AYE
Commissioner Donald "Don" Battaglini	NOT PRESENT
Commissioner Mark Storm	AYE
Commissioner Michael Hamzik	AYE
Commissioner Michael Lewis	AYE

The resolution was thereupon duly adopted.

- b. Fire District Voter Challenge procedure: Motion by Commissioner Hamzik, second by Commissioner Storm, to approve the Fire District Voter Challenge procedure. All in favor; motion carried.
- c. Annual Inspection Dinner Policy: In the Annual Firefighters' Inspection Dinner Policy and Procedure, a line under the Development of Guest List states: "With the exception of the guests permitted for chief officers, no guests will be permitted who are under the age of 18 years." It was thought that this line should be changed to the age of 16 since we have members who are 16. Motion by Commissioner Hamzik, second by Commissioner Storm, to approve changing the age of guests to 16 from 18. All in favor; motion carried.

Hearing of Visitor(s): None

Correspondence(s): The Pinsky Law Group Fire Law & EMS Legal Services; AFDSNY 2024 Edward ‘Ned’ Carter Memorial Scholarship; AFDSNY 2024 In Classroom Commissioner Training; AFDSNY Fire District Affairs October 2023 – November 2023 were handed out.

At 7:30 pm, a 3-minute break was granted.

The Board of Fire Commissioners went back to reviewing the Rules and Regulations.

Motion by Commissioner Battaglini, second by Commissioner Hamzik, to adjourn the meeting at 8:45 p.m. All aye; motion carried.

All motions were unanimously carried unless otherwise noted.

Respectfully Submitted,



Erika Pereira

Fire District Secretary